

# ANDERSON KILL P.C.

Attorneys and Counsellors at Law

1251 AVENUE OF THE AMERICAS ■ NEW YORK, NY 10020  
TELEPHONE: 212-278-1000 ■ FAX: 212-278-1733  
www.andersonkill.com

Jerry S. Goldman, Esq.  
Jgoldman@andersonkill.com  
212-278-1569

December 2, 2021

The Honorable Sarah Netburn  
United States Magistrate Judge  
Thurgood Marshall Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

**Re: *In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570*  
*(GBD) (SN) (Estate of John P. O'Neill, Sr., et al. v. The Republic*  
*of Iraq, et al., 04-cv-1706 (GBD)(SN)***

Dear Judge Netburn,

I write on behalf of the approximately 2,900 *O'Neill* plaintiffs,<sup>1</sup> consisting of personal representatives of 9/11 decedents, as well as spouses, children, parents and siblings of those who perished on that tragic day, presently in suits pending in the MDL, and in response to the Government's request for an extension of time to file its Statement of Interest with regard to the *Havlish* Plaintiffs' writ of execution at the New York Federal Reserve Bank for several reasons (ECF 7390) as well as the letter tendered in response by the *Ashton* Plaintiffs (ECF 7395).

Specifically, we fully support the Government's request for an extension of time to file its Statement of Interest with regard to the *Havlish* Plaintiffs' writ of execution at the New York Federal Reserve Bank.

First, the additional time will allow the Executive Branch to fully understand the competing equities and interests of the various constituencies, as well as allow both interested parties and this Court to have the opportunity to assert and evaluate the various claims and positions of the parties, while the funds are fully secured.

Second, as we understand it, both Congress and the Executive Branch are evaluating how to best implement the provisions of both Sudan Claims Resolution Act, Pub. L. No. 116-260, § 1705, 134 Stat. 1182 (2020) and the GAO Report (available at <https://www.gao.gov/assets/gao-21-105306.pdf>) so as to provide for a lump-sum payment to be made to the personal representatives of those murdered on 9/11, as well

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<sup>1</sup> The term *O'Neill* plaintiffs here refers to those plaintiffs presently retained and represented by undersigned counsel, named in multiple separate lawsuits including lawsuits against the Taliban, the Kingdom of Saudi Arabia, Iran, and Sudan (including those added by way of Notices of Amendment and orders granting motions of substitution) and includes members of a putative class.

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as their spouses and their dependents through the United States Victims of State Sponsored Terrorism Fund. According to published reports, it is possible that the funds that are at issue in connection with the currently-stayed writs of execution could be a source for such payment.

In order to allow the United States Government the opportunity to adequately consider its options regarding the funds in questions and for all plaintiffs who may qualify for such 'catch-up' funds to be treated fairly and equitably, we respectfully join in the Government's request for an extension of time until January 28, 2021 to submit any Statement of Interest, to which any interested party may respond.

Respectfully,

ANDERSON KILL P.C.

/s/ Jerry S. Goldman, Esq.  
Jerry S. Goldman, Esq.  
Attorney for the O'Neill Plaintiffs